

<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>	Docket Number (optional) 18906IAR
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I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below. **Merck Frosst Canada Ltd.**  
successor in interest from  
I am authorized to act on behalf of the following assignee: **Merck Frosst Canada & Co.**

and the title of my position with said assignee is: \_\_\_\_\_

The entire title to the patent identified below is vested in said assignee.

Inventor Wanda A. Cromlish	Citizenship Canadian
Residence/Mailing Address 5377 St. Ignatius Ave., Montreal, Quebec, CANADA H4V 2C5	
Inventor Brian P. Kennedy	Citizenship Canadian
Residence/Mailing Address 33 Brome, Kirkland, Quebec, CANADA H9J 2R5	
<input checked="" type="checkbox"/> Additional Inventors are named on separately numbered sheets attached hereto.	
Patent Number 5,543,297	Date of Patent Issued August 6, 1996

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

**HUMAN CYCLOOXYGENASE-2 CDNA AND ASSAYS FOR EVALUATING CYCLOOXYGENASE-2 ACTIVITY**

the specification of which

is attached hereto.  
 was filed on Nov. 20, 2000 as reissue application number 09 / 731,632  
 and was amended on 11/20/2000, 08/30/2004, 01/19/2005, 06/06/2005  
 (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

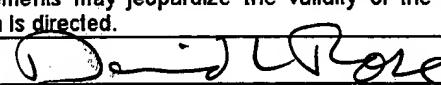
I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.  
 by reason of the patentee claiming more or less than he had the right to claim in the patent.  
 by reason of other errors.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		Docket Number (Optional) 18906IAR																				
<p>At least one error upon which reissue is based is described as follows:</p> <p>Claims 20 and 21 of the patent recite a system while the claims from which they depend recites a transformed host.</p>																						
[Attach additional sheets, if needed.]																						
<b>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.</b>																						
<p>I hereby appoint:</p> <p><input checked="" type="checkbox"/> Practitioners associated with Customer Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span> 000210</p> <p>OR</p> <p><input type="checkbox"/> Practitioner(s) named below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Name</th> <th style="text-align: left;">Registration Number</th> </tr> </thead> <tbody> <tr> <td>Curtis C. Panzer</td> <td>33,752</td> </tr> <tr> <td>Raynard Yuro</td> <td>45,570</td> </tr> <tr> <td>David L. Rose</td> <td>26,332</td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>			Name	Registration Number	Curtis C. Panzer	33,752	Raynard Yuro	45,570	David L. Rose	26,332												
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<p>as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.</p>																						
<p>Correspondence Address: Direct all communications about the application to:</p> <p><input checked="" type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span> 000210</p> <p>OR</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input type="checkbox"/> Firm or Individual Name</td> <td colspan="3"></td> </tr> <tr> <td>Address</td> <td colspan="3"></td> </tr> <tr> <td>City</td> <td style="width: 15%;">State</td> <td style="width: 15%;">Zip</td> <td style="width: 15%;"></td> </tr> <tr> <td>Country</td> <td colspan="3"></td> </tr> <tr> <td>Telephone</td> <td style="width: 15%;"></td> <td style="width: 15%;">Email</td> <td style="width: 15%;"></td> </tr> </table>			<input type="checkbox"/> Firm or Individual Name				Address				City	State	Zip		Country				Telephone		Email	
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<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>																						
<p>Signature </p> <p>Full name of person signing (given name, family name) David L. Rose - Counsel, Patents</p>		Date <u>22 Sept 2007</u>																				
<p>Address of Assignee Merck &amp; Co., Inc., P.O. Box 2000, 126 E. Lincoln Ave., Rahway, NJ 07065-0907</p>																						

Additional Patentees

PATENTEE	CITIZENSHIP
Gary O'Neill 51 Fredmir Street Dollard Des Ormeaux, Quebec Canada H9A 2R4	Canadian
Philip J. Vickers 3 Lydia's Path Westborough, Massachusetts 01581	Canadian and Great Britain
Elizabeth Wong 755 Montpellier Apt. 1602 St. Laurent, Quebec Canada H4L 4R1	Canadian
Joseph A. Mancini, Ph.D. 150 Timberlea Trail Kirkland, Quebec Canada H9J 2N5	Canadian

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**General Corporate Resolution #5**

**PATENT MATTERS**

RESOLVED, that any of the following:

Richard T. Clark—Chief Executive Officer and President  
Kenneth C. Frazier—Senior Vice President and General Counsel  
Joseph F. DiPrima—Vice President and Assistant General Counsel  
Paul D. Matukaitis—Vice President and Assistant General Counsel  
William Krovatin—Counsel, IP Litigation  
Edward W. Murray—Counsel, IP Litigation  
Charles M. Caruso—Counsel, International  
Valerie J. Camara—Counsel, Patents  
Mark R. Daniel—Counsel, Patents  
Joanne M. Giesser—Counsel, Patents  
Anthony Rollins—Counsel, European Patents  
David L. Rose—Counsel, Patents  
Jack L. Tribble—Counsel, Patents  
Melvin Winokur—Counsel, Patents  
Donna L. Margiotti—Senior Manager, Patent Administration

are authorized to execute and to revoke on behalf of Merck & Co., Inc. and its affiliates (including subsidiaries) the following documents relating to patent matters:

Powers of attorney as fully in law as may be necessary and proper in connection with the acquisition, registration, maintenance and enforcement of patents and applications for patents, including powers of attorney relating to the prosecution or defense of patent rights before courts of law or other governmental tribunals, agencies or departments; affidavits and declarations; and any other documents which are necessary and proper for the acquisition, registration, maintenance, litigation and protection of patents.

CERTIFICATION

I, Debra A. Bollwage, Senior Assistant Secretary of Merck & Co., Inc. (the "Company"), a corporation duly organized and existing under the laws of the State of New Jersey, do hereby certify that the attached, presently in full force and effect, is a true and correct copy of General Corporate Resolution #5, Patent Matters, as amended by the Board of Directors of said Company at a meeting duly called and held on May 24, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and affixed the seal of the Company this 27<sup>th</sup> day of June 2005.

Debra A. Bollwage  
Senior Assistant Secretary

(SEAL)